

### **REMARKS/ARGUMENTS**

#### **Response to the restriction requirement**

In response to the further requirement that a species of “self-assembly moiety” be elected from one of oligonucleotides, ligands and peptides, the Applicants elect oligonucleotides.

In response to the further requirement that the Applicants subject matter with **OR** without a linking member, the Applicants elect without a linking member.

All the now pending claims read on the elected subject matter.

In the spirit of expediting prosecution and without acquiescing on the merits, the above elections are made without traverse.

#### **Status of the claims**

Claims 1 to 10, 12, 13, 18, 19, 23, and 30 to 39 were previously pending and undergoing examination. Claims 1, 23, 34, and 37 are herein amended. Claims 2, 5, 9, 19, 32 and 33 are herein canceled without prejudice. Claim 40 is new. After entry of these amendments, claims 1, 3, 4, 6 to 8, 12, 12, 18, 23, 30, 31, and 34 to 40 will be pending.

#### **Support for the amendments to the claims**

Claim 1 was amended to set forth limitations of previous claim 2 which is now canceled.

Claims 23, 34, and 37 were amended to depend from claim 18 in view of the cancellation of intervening claim 19.

Claim 23 was also amended to correct an obvious typographical error in the spelling of maleimido (see, p. 28 line 28 of the specification for a correct spelling).

New claim 40 corresponds to previous claim 31 except that the recital of DNA has been replaced by a recital of oligonucleotides in order to conform with its antecedent basis.

In view of the above, the Applicants believe the amendments to the claims add no new matter and respectfully request their entry.

Appl. No. 10/507,140  
Amdt. dated March 19, 2009  
Reply to Office Action of February 27, 2009

PATENT

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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